

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

v.

TREVOR MILTON,

Defendant.

No. 21-cr-478 (ER)

**DEFENDANT’S THIRD PROPOSED SUPPLEMENTAL REQUEST TO CHARGE**

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**PROPOSED SUPPLEMENTAL JURY INSTRUCTION NO. 12**  
**WIRE FRAUD: COUNT FOUR**  
**USE OF AUDIO RECORDING**

An audio recording has been admitted into evidence in this case. I instruct you as follows: Lucas Hicks recorded a portion of that call in violation of Massachusetts law. He then received immunity from prosecution. The federal government then lawfully obtained that recording, which I admitted into evidence. Whether you approve or disapprove of the recording of this conversation is of no consequence. The government's use of this evidence is lawful. However, you may consider that Lucas Hicks recorded the call unlawfully and received immunity, giving that evidence such weight, if any, as you believe it deserves.

\* \* \*

Respectfully submitted,

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**CERTIFICATION OF SERVICE**

I hereby certify that on October 3, 2022 a copy of the foregoing was filed electronically and served by mail on anyone unable to accept electronic filing. Notice of this filing will be sent by e-mail to all parties by operation of the Court's electronic filing system or by mail to anyone unable to accept electronic filing as indicated on the Notice of Electronic Filing. Parties may access this filing through the Court's CM/ECF System.

Dated: New York, New York  
October 3, 2022

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